

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARCO MALDONADO	:	CIVIL ACTION
	:	
v.	:	NO. 22-3474
	:	
CITY OF PHILADELPHIA,	:	
DETECTIVE MICHAEL CAHILL,	:	
OFFICER BRUCE DOUGHERTY,	:	
OFFICER BRUCE DENOBLE,	:	
ROBERT CAMPOLONGO, A.D.A.	:	
JOHN DOES	:	

ORDER

AND NOW, this 21st day of July 2023, upon considering Defendants City of Philadelphia, Detective Michael Cahill, Officer Bruce Dougherty, and Officer Bruce DeNoble's motion to dismiss (DI 16) Marco Maldonado's amended complaint (DI 14), the accompanying briefing (DI 21, 24), arguments made at our May 23, 2023 oral argument, and for the reasons in the accompanying Memorandum, it is **ORDERED** that Defendants' motion to dismiss (DI 16) is **GRANTED IN PART** and **DENIED IN PART** as specified below:

1. Defendants' motion is denied with respect to Count I (deprivation of liberty without due process of law and denial of a fair trial under the Fourteenth Amendment) of Mr. Maldonado's amended complaint.

2. Defendants' motion is denied with respect to Count II (civil rights conspiracy) of Mr. Maldonado's complaint.

3. Defendants' motion is granted with prejudice with respect to Count III (failure to intervene) of Mr. Maldonado's amended complaint.

4. Defendants' motion is granted in part and denied in part with respect to Count IV (municipal liability) of Mr. Maldonado's amended complaint. Mr. Maldonado's *Monell* claim

shall proceed insofar as it is not predicated on his failure-to-intervene claim.


MURPHY, J.